

U2-06-02

Please type a plus (+) inside this box - 

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

20/04/02  
U. S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 10034-004 Total Pages 61

First Named Inventor or Application Identifier

Siegal et al.

Express Mail Label No. EL 477 034 179 US

10034-02  
U. S. PTO  
20/04/02  
jc9116746**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>Submit an original, and a duplicate for fee processing</i>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
3. <input checked="" type="checkbox"/> Specification  <i>(preferred arrangement set forth below)</i> -Descriptive title of the Invention -Cross Reference to Related Applications -Statement Regarding Fed sponsored R&D -Reference to Microfiche Appendix -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings <i>(if filed)</i> -Detailed Description of the Invention (including drawings, <i>if filed</i> ) -Claim(s) -Abstract of the Disclosure	a. <input type="checkbox"/> Computer Readable Copy  b. <input type="checkbox"/> Paper Copy (identical to computer copy)  c. <input type="checkbox"/> Statement verifying identity of above copies
4. <input checked="" type="checkbox"/> Drawing(s) <i>(35 USC 113)</i>  [Total Sheets 9]	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
5. <input checked="" type="checkbox"/> Oath or Declaration  a. <input type="checkbox"/> Newly executed (original or copy)  b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i>  i. <input type="checkbox"/> <b><u>DELETION OF INVENTORS(S)</u></b>  Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>
18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)	12. <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Copies of IDS (IDS)/PTO-1449
	13. <input checked="" type="checkbox"/> Preliminary Amendment
	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
	16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
	17. <input type="checkbox"/> Other:

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  
*(when there is an assignee)*  Power of Attorney
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement  Copies of IDS (IDS)/PTO-1449
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(i).  
Applicant must attach form PTO/SB/35 or it's equivalent
17.  Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  
 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: 09/591,223 filed June 9, 2000, which is incorporated herein by reference in its entirety..

**19. CORRESPONDENCE ADDRESS**

Customer Number:

20583

(Insert Customer No. or Attach bar code label here)

or  Correspondence address below

NAME				
ADDRESS				
CITY	STATE	ZIP CODE		
COUNTRY	TELEPHONE	FAX		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner Thaian N. Ton  
 Art Unit 1632

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:

This is a request for filing a  continuation  divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/591,223 filed on June 9, 2000, which is incorporated herein by reference in its entirety.

of Frederick P. Siegal and Michael Shodell  
 (inventor(s) currently of record in prior application)

for TYPE I INTERFERON-PRODUCING CELLS AND USES THEREOF  
 (title of invention)

1.  The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	Fee
Total Claims	19	-20	0	\$18.00 each	\$ 0.00
Independent	5	-3	2	\$84.00 each	\$ 168.00
Basic Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
<b>Total</b>					\$ 908.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
<b>Total Filing Fee</b>					\$ 908.00

2.  Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

3.  Amend the specification by inserting before the first line the following sentence: This is a continuation, division, of application no. , filed .

4a.  New formal drawings are enclosed.

4b.  Informal drawings are enclosed.

5a.  Priority of application no. filed on in is claimed under 35 U.S.C. §119.

5b.  The certified copy has been filed in prior application no. , filed .

6.  The prior application is assigned of record to .

7a.  A copy of the Power of Attorney filed in the prior application no. 09/591,223, filed June 9, 2000 is enclosed.

7b.  A Power of Attorney is enclosed.

8.  This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.

9.  The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .

10.  DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11.  A Preliminary Amendment is enclosed.

Respectfully submitted,

Date February 4, 2002

Laura A. Coruzzi 30,742  
 Laura A. Coruzzi (Reg. No.)  
 PENNIE & EDMONDS LLP  
 1155 Avenue of Americas  
 New York, N.Y. 10036-2711

*By: Jennifer J. Chheda*  
*Reg No. 46,617*